IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE TENTH DAY OF FEBRUARY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE L.NARASIMHA REDDY

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WRIT PETITION NO : 1656 of 2005

Between:

1 G. Venkateswara Rao, S/o. Ganga Raju,
R/o. D.No. 36-24-34, Factory Street, V.T. College Road, Innispeta,
Rajahmundry, East Godavari District.
2 G. Venkata Kameswara Rao, S/o. Ramasastry,
R/o. D.No. 36-24-24, Factory Street, V.T. College Road, Innispeta,
Rajahmundry, East Godavari District.
3 G. Pushapavathi, W/o. Ramu,
R/o. D.No. 36-24-12, Factory Street, V.T. College Road, Innispeta,
Rajahmundry, East Godavari District.
4 N. Roja Rani, W/o. Veerreddy,
R/o. D.No. 36-24-30, Factory Street, V.T. College Road, Innispeta,
Rajahmundry, East Godavari District.
5 Vasamsetti Prabhavathi, W/o. Jagadeswararao,
R/o. D.No. 36-24-37, Factory Street, V.T. College Road, Innispeta,
Rajahmundry, East Godavari District.
6 Mannepally Ravikumar, W/o. Venkat Rao,
R/o. D.No. 36-24-20, Factory Street, V.T. College Road, Innispeta,
Rajahmundry, East Godavari District.
7 Simhadri Raju, S/o. Achari,
R/o. D.No. 36-23-39, Factory Street, V.T. College Road, Innispeta,
Rajahmundry, East Godavari District.
8 Muttapathi Suresh, S/o. Lokeswara Rao,
R/o. D.No. 36-24-38, Factory Street, V.T. College Road, Innispeta,
Rajahmundry, East Godavari District.
9 M. Venkata Ramana, S/o. Appalaswamy,
R/o. D.No. 36-1-6, Factory Street, V.T. College Road, Innispeta,
Rajahmundry, East Godavari District.
10 P. Venkateswara Rao, S/o. Nageswara Rao,
R/o. D.No. 36-10-1, Factory Street, V.T. College Road, Innispeta,
Rajahmundry, East Godavari District.
11 K. Raghunath Gupta, S/o. Suryanarayana Murthy,

R/o. D.No. 36-24-35, Factory Street, V.T. College Road, Innispeta, Rajahmundry, East Godavari District.

12 smt. G. Krishna Veni, W/o. Sai Babu, R/o. D.No. 36-24-3, Factory Street, V.T. College Road, Innispeta, Rajahmundry, East Godavari District.

13 Mammidi Sadanandam, S/o. Akkulu, R/o. D.No. 36-24-39, Factory Street, V.T. College Road, Innispeta, Rajahmundry, East Godavari District.

14 Narava Satyanarayana,' S/o. Achutaramaiah, R/o. D.No. 36-24-21/1, Factory Street, V.T. College Road, Innispeta, Rajahmundry, East Godavari District.

15 Marrisetti Suribabu, S/o. Satyanarayana, R/o. D.No. 36-25-26, Factory Street, V.T. College Road, Innispeta, Rajahmundry, East Godavari District.

..... PETITIONERS

AND

1 The Sub-Collector, Rajahmundry, East Godavari District.
2 The Deputy Superintendent of Police,' Rajahmundry, East Godavari District.
3 The Inspector of Police,' Rajahmundry, East Godavari District.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed herein the High Court may be pleased to issue a Writ, order or direction, more in the nature of Writ of Mandamus, directing the respondents, not to allow heavy vehicle traffic in Factory Street, (V.T. College Road), Innispet, Rajahmundry, East Godavari District and further declare the action of the respondents in allowing the heavy vehicle traffic in the Factory Street, Innispet Rajahmundry, East Godavari District, as illegal, arbitrary,

Counsel for the Petitioners: MR.V.S.N.SARMA

Counsel for the Respondents: GP FOR HOME

The Court at the admission stage made the following :

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ORDER:

The petitioners are residents of “Factory street, VT College Road, Innispeta, Rajahmundry”. The lane is very narrow and its formation is not so strong as to withstand heavy vehicular traffic. Their grievance is that in the name of regulating the traffic, the respondents are diverting heavy vehicular traffic, through their lane, and the same is resulting in not only damage to the road, but to the safety of the residents.

Heard learned Counsel for the petitioners and the learned Government Pleader for Home.

The respondents are entitled to take necessary measures to ensure free flow of traffic in the concerned localities. However, while taking such measures, the safety of the concerned residents, as well as the size and quality of the roads, has to be taken in to account. Indiscriminate diversion would result in bringing about new problems, apart from failing to solve the existing ones.

It is not possible for this Court to record any finding, at this stage, both as to

the safety of the petitioners and other local residents, or the durability of the road, on account of the diversion of the traffic. The petitioners claim to have made a representation on 7-2-2004. The respondents are under obligation to consider the same and take necessary remedial steps.

Hence, the writ petition is disposed of, directing the respondents 1 & 2 to consider the representation of the petitioners and pass appropriate orders, or to take necessary steps, within a period of four weeks from the date of receipt of a copy of this order. There shall be no order as to costs.

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10th February, 2005

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To

1 The Sub-Collector, Rajahmundry, East Godavari District.
2 The Deputy Superintendent of Police, Rajahmundry, East Godavari District.
3 The Inspector of Police, Rajahmundry, East Godavari District.

4. Two CCs to GP for Home, High Court Buildings, Hyderabad (OUT)

5. Two CD copies.